

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

In re: )  
 )  
Eastern Livestock Co., LLC , ) CASE NO. 10-93904-BHL-11  
 )  
Debtor. )

NOTICE OF APPOINTMENT AND APPLICATION FOR ORDER  
APPROVING APPOINTMENT OF TRUSTEE

Nancy J. Gargula, United States trustee, by Charles R. Wharton, Trial Attorney, pursuant to 11 U.S.C. §1104 and FRBP 2007.1 , and following the entry of the Court's Order of December 16, 2010, hereby appoints James A. Knauer as trustee in the Eastern Livestock Co., LLC case:

The United States Trustee has consulted with the following parties in interest:

1. John W Ames and C. R. Bowles, Jr. - counsel for the petitioning creditors.
2. Randall D. LaTour - counsel for Fifth Third Bank.
3. John R. Carr, III and Bret S. Clement - counsel for First Bank and Trust Company.
4. Elizabeth M. Lynch - State Court Receiver
5. Kim Martin Lewis - counsel for the State Court Receiver
6. Kathryn Pry - Chapter 7 Trustee in the related Thomas P Gibson and Patsy M Gibson 10-93867 BHL-7 case.
7. Deborah J. Caruso - counsel for Kathryn Pry

Mr. Knauer is a Partner and Chairman of the Litigation Practice Group at Kroger, Gardis and Regas, LLP. His primary practice is business litigation emphasizing business litigation and business reorganization; receiverships, creditor's rights law, business contracts, secured transactions; real estate; loan documentation; and, loan restructuring. Mr. Knauer has substantial experience in all aspects of business transactions and business and bankruptcy litigation. Mr. Knauer may be contacted as follows:

James A. Knauer, Partner  
Kroger, Gardis & Regas, LLP  
111 Monument Circle, Suite 900  
Indianapolis, Indiana 46204  
Phone: 317.777.7440  
Fax: 317.264.6832  
Email: [Jknauer@kgirlaw.com](mailto:Jknauer@kgirlaw.com); [www.kgirlaw.com](http://www.kgirlaw.com)

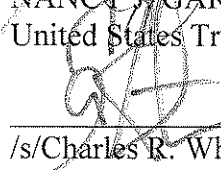
Mr. Knauer has no connection other than those disclosed on the "Affidavit of Disinterest" with the debtors, creditors, any other parties in interest, their respective attorneys and accountants, the United States trustee and persons employed in the office of the United States trustee. A Verified Statement and Notice of Acceptance from Mr. Knauer is attached as Exhibit A. The United States trustee will set Mr. Knauer's bond at an amount to be determined.

Wherefore, the United States trustee respectfully appoints James A. Knauer as trustee and request that the Court approve such appointment pursuant to 11 U.S.C. §1104.

Respectfully submitted,



/s/ Nancy J. Gargula  
NANCY J. GARGULA  
United States Trustee



/s/ Charles R. Wharton  
Charles R. Wharton  
Trial Attorney

Office of the United States Trustee  
101 W. Ohio Street, Suite 1000  
Indianapolis, Indiana 46204  
Tel: 317-226-6101  
Fax: 317-226-6356  
E-mail: [Charles.R.Warton@usdoj.gov](mailto:Charles.R.Warton@usdoj.gov)

CERTIFICATE OF SERVICE

I hereby certify that on December ~~27~~<sup>23</sup>, 2010 a copy of the foregoing NOTICE OF APPOINTMENT AND APPLICATION FOR ORDER APPROVING APPOINTMENT OF TRUSTEE was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

John W Ames	-	<a href="mailto:jwa@gdm.com">jwa@gdm.com</a>
C. R. Bowles, Jr	-	<a href="mailto:crb@gdm.com">crb@gdm.com</a>
Ivana B. Shallcross	-	<a href="mailto:ibs@gdm.com">ibs@gdm.com</a>
David L. Abt	-	<a href="mailto:davidabt@mwt.net">davidabt@mwt.net</a>
John Hunt Lovell	-	<a href="mailto:john@lovell-law.net">john@lovell-law.net</a>
Mark A. Robinson	-	<a href="mailto:mrobinson@vhrlaw.com">mrobinson@vhrlaw.com</a>
Jesse Cook-Dubin	-	<a href="mailto:jcookdubin@vorys.com">jcookdubin@vorys.com</a>
Edward M King	-	<a href="mailto:tking@fbtlaw.com">tking@fbtlaw.com</a>
Randall D. LaTour	-	<a href="mailto:rldatour@vorys.com">rldatour@vorys.com</a>
John R. Carr, III	-	<a href="mailto:jrciii@acs-law.com">jrciii@acs-law.com</a>
Bret S. Clement	-	<a href="mailto:bclement@acs-law.com">bclement@acs-law.com</a>
Daniel J. Donnellon	-	<a href="mailto:ddonnellon@ficlaw.com">ddonnellon@ficlaw.com</a>
Stephen A. Weigand	-	<a href="mailto:sweigand@ficlaw.com">sweigand@ficlaw.com</a>
John Frederick Massouh	-	<a href="mailto:john.massouh@sprouselaw.com">john.massouh@sprouselaw.com</a>
Robert Hughes Foree	-	<a href="mailto:robertforee@bellsouth.net">robertforee@bellsouth.net</a>
Kim Martin Lewis	-	<a href="mailto:kim.lewis@dinslaw.com">kim.lewis@dinslaw.com</a>
Jeremy S Rogers	-	<a href="mailto:Jeremy.Rogers@dinslaw.com">Jeremy.Rogers@dinslaw.com</a>
Deborah Caruso	-	<a href="mailto:dcaruso@daleeke.com">dcaruso@daleeke.com</a>
Meredith R. Thomas	-	<a href="mailto:mthomas@daleeke.com">mthomas@daleeke.com</a>
William Robert Meyer, II	-	<a href="mailto:rmeyer@stites.com">rmeyer@stites.com</a>
Allen Morris	-	<a href="mailto:amorris@stites.com">amorris@stites.com</a>

I further certify that on December ~~27~~<sup>23</sup>, 2010 a copy of the foregoing NOTICE OF APPOINTMENT AND APPLICATION FOR ORDER APPROVING APPOINTMENT OF TRUSTEE was mailed by first-class U.S. Mail, postage prepaid, and properly addressed to the following:

Eastern Livestock Co., LLC  
135 W. Market Street  
New Albany, IN 47150

National Cattlemen's Beef Association  
c/o Alice Devine  
6031 SW 37th St.  
Topeka, KA 66610

/s/ Charles R. Wharton  
Charles R. Wharton  
Trial Attorney